THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI HANS RAJ BHARDWAJ): (a) The recommendations of the Law Commission regarding Judicial Reforms are contained in its 114th to 129th and 131st Reports. Excepting 124th Report, copies of all other Reports have been laid on the Table of both Houses of Parliament. 124th Report deals with the subject of the High Court Arrears.

(b) to (d) The recommendations of the Law Commission are at various stages of consideration by the Government.

Cases Registered Under FERA

2468. SHRI V. GOPALSAMY:
SHRI T. R. BALU:

Will the Minister of FINANCE be pleased to state the number of cases which were registered for FERA violation during the last three years, year-wise and State-wise?

THE MINISTER OF STATE IN THE DEPARTMENT OF ECONOMIC AFFAIRS IN THE MINISTRY FINANCE (SHRI EDUARDO FALEIRO): The Enforcement Directorate registered 19,836 cases of *prima facie* violatoin of the provisions of FERA during the last three years. The year-wise break-up of cases is given below:

1986	. .	6228 cases
1987	. .	7751 cases
1988	. .	5857 cases

State-wise statistics of the cases are not maintained in the Directorate of Enforcement.

News-item Captioned Italian Firm Let off the Hook'

2469. SHRI A. G. KULKARNI:
SHRI VISHWASRAO RAMRAO PATIL:
SHRI KAILASH PATI MISHRA:
SHRI ATAL BIHARI VAJPAYEE:
SHRI PARVATHANENI UPENDRA:

Will the Minister of FINANCE be pleased to state:

(a) whether Government's attention has been drawn to the news-item published in the Times of India, New Delhi dated the January 20, 1989 captioned "erring Italian firm let off the hook" and if so, what are the facts thereof; and

(b) whether Government propose to recover Rs. 82.44 lakhs from the firm as indicated by the Audit Wing of the Income-tax department?

THE MINISTER OF STATE IN THE DEPARTMENT OF REVENUE IN THE MINISTRY OF FINANCE (SHRI AJIT PANJA): (a) The facts of the case are as under:

M/s. Ansaldo Impianti is a non-resident company. It filed returns of income/loss for assessment years 1981-82 to 1985-86 with the Income-tax Department. The returns were signed by Shri P. M. Gerini, Chief Technical Co-ordinator of the company. By resolution of the Company dated 10th April, 1980, Shri Gerini was authorised to execute all such deeds and instructions to do all such things which in his opinion are necessary and convenient for carrying on and transacting the operation of the company in India. Shri Gerini was the power of attorney holder of the Company. The power of attorney was duly attested by the Embassy of India.

Under section 140 of the Income-tax Act, *inter alia*, the return should be signed and verified, in the case of a

company, by Managing Director or by any Director thereof. The Internal Audit Wing of the Department had raised the objection that, since the returns were not signed by a competent person, they were invalid and refund should not have been granted. There was no dispute regarding the quantum of refund due to the assessee. The only issue was whether on the basis of returns which have not been signed by the Director of the Company, refund should be issued or not. The Central Board of Direct Taxes considered the matter and was of the view that since the returns filed by the assessee had been taken cognizance of & since there was no dispute regarding the quantum of refund, such technical objections should not come in the way of issue of refund. The Board accordingly directed the issue of refund. The refund amounting to Rs. 82,44,406/- was accordingly issued to the assessee company.

(b) No, Sir.

Offer from Trinidad and Tobago to Indian Investors

2470. SHRI MOHINDER SINGH LATHER: Will the Minister of COMMERCE be pleased to state:

(a) whether it is a fact that Government of Trinidad and Tobago have offered Indian investors a lot of facilities to set up industries in their country;

(b) if so, what are the details thereof; and

(c) what is Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI P. R. DAS MUNSHI): (a) No Sir.

(b) and (c) Do not arise.

त्रमासिक प्रतिवेदन प्रस्तुत न करने के लिए निर्यात घरानों के विरुद्ध कार्यवाही

2471. सरदार जगजीत सिंह अरोड़ा: श्री राम जेठमलानी :

क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि अनेक निर्यात घरानों ने वर्ष 1987-88 और चालू वित्तीय वर्ष के दौरान निर्यातों के संबंध में अपने त्रैमासिक प्रतिवेदन सरकार को प्रस्तुत नहीं किये हैं ;

(ख) यदि हां, तो उनकी संख्या कितनी है ;

(ग) दिसम्बर, 1988 की स्थिति के अनुसार कुल कितने व्यापार घरानों को निर्यातकों के रूप में पंजीकृत किया गया है ;

(घ) क्या सरकार ने इन दोषी निर्यात घरानों के विरुद्ध कोई कार्यवाही की है : और

(ङ) यदि हां, तो उसका ब्यौरा क्या है ?

वाणिज्य मंत्रालय में राज्य मंत्री (श्री पी. आर. दासमुंशी): (क) और (ख) जी नहीं। वास्तविकता यह कि 461 निर्यात सदनों/व्यापार सदनों ने भारतीय निर्यात संगठन परिसंघ को अपने तिमाही प्रतिवेदन नहीं भेजे हैं, यह परिसंघ उनके निर्यात निष्पादन आंकने वाला एक मानीटरिंग प्राधिकरण है।

(ग) दिनांक 31-12-1988 की स्थिति के अनुसार 1168 निर्यात सदन/व्यापार सदन सरकार से मान्यता प्राप्त थे।

(घ) भारतीय निर्यात संगठन परिसंघ ने दोषी सदस्यों को नोटिस जारी किए थे।

(ङ) अब तक इन 461 सदनों में से 342 ने रिपोर्ट भेज दी हैं और उनका नाम रिपोर्ट नहीं भेजने वालों की सूची से निकाल दिया गया है। भारतीय निर्यात संगठन परिसंघ दोषी सदस्यों के पंजीकरण को सरकार द्वारा निर्धारित नियम के अन्तर्गत रद्द करने के प्रश्न पर विचार कर रहा है। पंजीकरण रद्द होने पर वे निर्यात प्रोत्साहन प्राप्त करने से वंचित हो जाएंगे।